TITLE 326 AIR POLLUTION CONTROL BOARD

DRAFT RULE
#98-40(APCB)

DIGEST

Amends 326 IAC 8-4-7 to add a leak standard for gasoline transports. Amends 326 IAC 8-4-9 to change vapor tightness standards for gasoline transports and delete the requirement that transports obtain a certification sticker from the department. Adds 326 IAC 20-10 to incorporate by reference the portions of 40 CFR 63 Subpart R (National Emission Standard for Hazardous Air Pollutants (NESHAP) for Bulk Gasoline Terminals and Pipeline Breakout Stations) referring to the tightness standards. Effective 30 days after filing with the secretary of state.

HISTORY

First Notice of Comment Period: March 1, 1998, Indiana Register (21 IR 2194).
Second Notice of Comment Period: September 1, 1998, Indiana Register (21 IR 4587).
Notice of First Hearing: December 1, 1998, Indiana Register **(*XX* IR *XXX*).**

326 IAC 8-4-7
326 IAC 8-4-9
326 IAC 20-10-1

SECTION 1. 326 IAC 8-4-7 IS AMENDED TO READ AS FOLLOWS:

326 IAC 8-4-7 Gasoline transports

Authority: IC 13-14-8; IC 13-17-4; IC 13-17-3-11
Affected: IC 13-15; IC 13-17

Sec. 7. (a) No owner or operator of a **gasoline** transport shall cause, allow, or permit the transfer of gasoline between transports and storage tanks which are equipped with a vapor balance system or vapor recovery system unless:

(1) the vapor balance system or vapor recovery system is connected and operating according to manufacturers' specifications;

(2) **gasoline** transport compartment hatches are ~~enclosed~~ **closed** at all times during loading operations;

(3) **except as provided in 326 IAC 8-4-9(i) (stack testing) and for sources subject to 40 CFR 60.503(b)* (NESHAP/MACT) or 40 CFR 63.425(a)* (New Source Performance Standards) requirements**, there are no ~~visually or audibly~~ **visible leaks, or otherwise** detectable leaks **(measured at twenty one thousand (21,000) parts per million as propane, as specified in 40 CFR 63.425(f)(1)*),** in the **gasoline** transport's pressure/vacuum relief valves, hatch cover, trailer compartments, storage tanks, or associated vapor and liquid lines during loading or unloading; and

(4) the pressure relief valves on ~~tank trucks or trailers~~ **gasoline transports** are set to release at no less than four and eight-tenths (4.8) kilo Pascals (seven-tenths (0.7) pounds per square

inch).

(b) Tank wagons are exempt from vapor balance requirements**.**

(c) When employees of the owner of a bulk gasoline terminal are present to supervise or perform loading, the owner of the terminal shall be responsible for compliance with subsection (a)(1) through (a)(3). The owner of the terminal shall also ensure that owners of **gasoline** transports loading at the terminal during unsupervised times comply with this section.

(d) **Gasoline** transports must be designed, maintained, and operated so as to be vapor-tight.

(e) Transfer of gasoline between a **gasoline** transport and a storage tank which is not equipped with a vapor balance system or vapor recovery system is not subject to this section. *(Air Pollution Control Board; 326 IAC 8-4-7; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2540; filed Aug 11, 1989, 1:40 p.m.: 13 IR 9; errata filed Sep 29, 1989, 4:30 p.m.: 13 IR 297)*

SECTION 2. 326 IAC 8-4-9 IS AMENDED TO READ AS FOLLOWS:

326 IAC 8-4-9 Leaks from transports and vapor collection systems; records
Authority: IC 13-14-8; IC 13-17-3-4; IC 17-3-11
Affected: IC 13-15; IC 13-17

Sec. 9. (a) This section is applicable to **the following:**
(1) All vapor balance systems and vapor control systems at sources subject to sections 4 through 6 of this rule. ~~and to~~
(2) All **gasoline** transports subject to section 7 of this rule.

(b) No person shall allow a **gasoline** transport **that is** subject to this rule **and that has a capacity of two thousand (2,000) gallons or more** to be filled or emptied unless the gasoline transport completes the following:
(1) ~~Is tested annually~~ **Annual leak detection testing within one (1) calendar year from the date of the last annual test**, according to test procedures ~~consistent with Appendix A of "Control of Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", EPA-450/2-78-051* or equivalent procedure approved by the commissioner.~~ **contained in 40 CFR 63.425(e)***, **as follows:**

(A) Conduct the pressure and vacuum tests for the transport's cargo tank using a time period of five (5) minutes. The initial pressure for the pressure test shall be four hundred sixty (460) millimeters H_2O (eighteen (18) inches H_2O), gauge. The initial vacuum for the vacuum test shall be one hundred fifty (150) millimeters H_2O (six (6) inches H_2O), gauge. The maximum allowable pressure or vacuum change is twenty-five (25) millimeters H_2O (one (1) inch H_2O) in five (5) minutes.

(B) Conduct the pressure test of the cargo tank's internal vapor valve as follows:

(i) After completing the test under clause (A), use the procedures in 40 CFR 60 Appendix A, Method 27* to repressurize the tank to four hundred sixty (460) millimeters H_2O (eighteen (18) inches H_2O), gauge. Close the transport's internal vapor valve(s), thereby isolating the vapor return line and manifold

from the tank.

(ii) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After five (5) minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable five (5) minute pressure increase is one hundred thirty (130) millimeters H_2O (five (5) inches H_2O).

~~(2) Sustains a pressure change of no more than seven hundred fifty (750) pascals (three (3) inches of H_20) in five (5) minutes when pressurized to a gauge pressure of four thousand five hundred (4,500) pascals (eighteen (18) inches of H_20) or evacuated to a gauge pressure of one thousand five hundred (1,500) pascals (six (6) inches of H_20) during the testing required in subdivision (1).~~

~~(3)~~ **(2)** Is repaired by the **gasoline transport** owner or operator and retested within fifteen (15) days of retesting if it does not meet the criteria of subdivision ~~(2)~~ **(1)**.

~~(4) Displays a sticker which shows the date that the gasoline tank truck last passed the test required in subdivisions (1) through (2). Such sticker shall be displayed near the Department of Transportation Certification Plate required by 49 C.F.R. 178.340-10b.~~

(c) **The annual test data expire one (1) year after the date of the test.** The owner of the **gasoline** transport shall be responsible for compliance with subsection (b) **and shall provide the owner of the loading facility with the most recent valid modified 40 CFR 60 Appendix A, Method 27* test results upon request**. The owner of the loading facility shall take all reasonable steps**, including reviewing the test date and tester's signature,** to ensure that **gasoline** transports loading at its facility comply with subsection (b)~~, and shall, in all cases when its employees are present to supervise or perform loading, be responsible for compliance with subsection (b)(4)~~.

(d) The owner or operator of a vapor balance system or vapor control system subject to this rule shall:

(1) design and operate the applicable system and the gasoline loading equipment in a manner that prevents:

(A) gauge pressure from exceeding four thousand five hundred (4,500) pascals (eighteen (18) inches of H_20) and a vacuum from exceeding one thousand five hundred (1,500) pascals (six (6) inches of H_20) in the gasoline ~~tank truck~~ **transport**;

(B) **except for sources subject to 40 CFR 60.503(b)* (NESHAP/MACT) or 40 CFR 63. 425(a)* (New Source Performance Standards) requirements,** a reading equal to or greater than ~~one hundred percent (100%) of the lower explosive limit (LEL, measured as propane) at two and five-tenths (2.5) centimeters~~ **twenty one thousand (21,000) parts per million as propane,** from all points on the perimeter of a potential leak source when measured by the method referenced in ~~Appendix B of "Control of Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", EPA-450/2-78-051~~ **40 CFR 60 Appendix A, Method 21***, or an equivalent procedure approved by the commissioner during loading or unloading operations at gasoline dispensing facilities, bulk plants, and bulk terminals;

(C) avoidable visible liquid leaks during loading or unloading operations at gasoline dispensing facilities, bulk plants, and bulk terminals; and

(2) within fifteen (15) days, repair and retest a vapor **balance**, collection, or control system

that exceeds the limits in subdivision (1).

(e) The ~~staff~~ **department** may, at any time, monitor a gasoline ~~tank truck~~ **transport**, vapor balance, **or vapor control system** ~~referenced~~, to confirm continuing compliance with subsection (b) or (c).

(f) The owner or operator of a ~~source~~ **vapor balance or vapor control system** subject to this section shall maintain records of all certification testing ~~and repairs~~. The records ~~must~~ **shall** identify the following:

(1) The ~~gasoline tank truck,~~ vapor **balance, vapor** collection ~~system~~, or vapor control system.

(2) The date of the test ~~or repair~~.

(3) ~~If applicable, the type of repair and the date of retest.~~ **The results of the test.**

The records ~~must~~ **shall** be maintained in a legible, readily available condition for at least two (2) years after the date the testing or repair was completed.

(g) The owner or operator of a gasoline transport subject to this section shall keep a legible copy of the transport's most recent valid annual modified 40 CFR 60 Appendix A, Method 27* test in the cab of the transport. The test record shall identify the following:

(1) The gasoline transport.

(2) The type and date of the test, and, if applicable, the type of repair and date of retest.

(3) The test methods, test data, and results certified as true, accurate, and in compliance with this rule by the person who performs the test.

This copy shall be made available immediately upon request to the department and to the owner of the loading facility for inspection and review. The department shall be allowed to make copies of the test results.

(h) If the commissioner allows alternative test procedures in subsection (b)(1) or (d)(1)(B), such method shall be submitted to the U.S. EPA as a SIP revision.

(i) During compliance tests conducted under 326 IAC 3-6 (stack testing), each vapor balance or control system shall be inspected using the procedure described in subsection (d). Inspectors shall use 40 CFR 60 Appendix A, Method 21* to determine if there are any leaks from the hatches and the flanges of the gasoline transports. If any leak is detected, the transport cannot be used for the capacity of the compliance test of the bulk gas terminal. The threshold for leaks shall be as follows:

(1) five hundred (500) parts per million methane for all) bulk gas terminals subject to NESHAP/MACT (40 CFR 63 Subpart R*); and

(2) ten thousand (10,000) parts per million methane for all bulk gas terminals subject to New Source Performance Standards (40 CFR 60 Subpart XX*) and for all other bulk gas terminals.

***Copies of the Code of Federal Regulations (CFR) referenced may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46204.** *(Air Pollution Control Board; 326 IAC 8-4-9; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2542; filed Nov 30, 1990, 4:20 p.m.: 14 IR 606)*

SECTION 3. 326 IAC 20-10 IS ADDED TO READ AS FOLLOWS:

Rule 10. Bulk Gasoline Distribution Facilities

326 IAC 20-10-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-1-1-4; IC 13-7-10

Affected: IC 13-7

Sec. 1.(a) This rule applies to sources as provided in 40 CFR 63.420*.

(b) The air pollution control board incorporates by reference:

(1) 40 CFR 63 Subpart R*; and

(2) 62 FR 9087 (February 28, 1997)* ;

National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).

*** Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this section may be obtained from the Government Printing Office, Washington, D.C. 20402, or the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana 46204.** ***(Air Pollution Control Board: 326 IAC 20-10-1)***